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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,158	05/03/2001	Edwin K. Runyon	74953/11664	7426
7590 09/27/2004				
Elsa Keller, Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			EXAMINER SWARTHOUT, BRENT	
			ART UNIT 2636	PAPER NUMBER

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,158

Applicant(s)

RUNYON ET AL.

Examiner

Brent A Swarthout

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-42 and 52-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 66-68 is/are allowed.
- 6) ☒ Claim(s) 28-42 and 52-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 28-30,34-38,40-41 and 52-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woolard et al. (WO 17984) in view of Conkright et al. and Covington et al.

Woolard teaches a method of operating an energy management system comprising providing processing means at plural local facilities 14 to monitor and control the facilities (Fig. 1), connecting the local facilities to the world wide web (abstract), and accessing facility information from a remote location on the world wide web (page 9), the facility control including lighting (page 14), except for specifically stating that the lighting is for an airfield lighting system, or that the facilities have primary local control capabilities.

Conkright teaches desirability of remotely accessing information over the internet about an airfield lighting system (Fig. 1; col. 1, lines 58-63; col.3).

Covington teaches desirability of having plural facilities controlled locally by site controllers, but also to be controllable remotely by network controllers (abstract, col.1, lines 44-63; col.2, lines 40-46).

It would have been obvious to use remote facility monitoring and control over the internet as taught by Woolard in conjunction with an airfield lighting system as disclosed by Conkright, and also in conjunction with primary on-site controllers as disclosed by Covington, in order that airfields could have been remotely monitored, thus providing cost savings by not having to have separate monitoring systems and personnel for each airfield, and to also allow for local control so that local individuals could have adjusted control for on-site conditions, without having to reprogram a controller at a remote site, while still allowing remote control upon failure of a primary controller.

Regarding claim 52, Covington discloses use of redundant communication link (col. 1, lines 59-63).

2. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woolard et al. in view of Conkright et al., Covington et al. and Townsend (WO 1/22177).

Townsend teaches desirability in a system for controlling facilities over the internet of using a user authorization code (page 7, lines 1-3).

It would have been obvious to use authorization code as taught by Townsend in conjunction with a monitoring system as disclosed by Woolard and Conkright and Covington, in order that only authorized persons had access to facility data.

3. Claims 33 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woolard et al. in view of Conkright et al., Covington et al. and Steen et al. (WO 62136).

Steen discloses desirability of allowing a customer access to facility information over the internet (abstract; page 2, line 5), and notification via cellphone (page 3, line 8).

It would have been obvious to allow customer access and cellphone notification as taught by Steen in conjunction with a system as disclosed by Woolard, Conkright and Covington, in order that those in need of facility data could have obtained it more easily.

4. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Woolard et al. in view of Conkright et al., Covington et al. and Runyon et al. (642).

Runyon teaches desirability of transmitting data in an airfield lighting system to a processor via wires, fiber optics or wirelessly (col.4, lines 20-21 and 51-54).


It would have been obvious to utilize any of wires, wireless or fiber optic communications as disclosed by Runyon in conjunction with an airfield lighting system data access system as disclosed by Woolard and Conkright and Covington, in order to allow for use of lines already in place, or more efficient or less costly/complex communications as desired.

5. Claims 66-68 are allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brent A Swarthout
Examiner
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**